

6996

# The Kansas City Southern Railway Company Louisiana & Arkansas Railway Company

301 West 11th Street, Kansas City, Missouri 64105

Sh. no. 816 5560303

ROBERT E. ZIMMERMAN  
Senior Vice President — Law

6996 A  
JUL 1 1988  
June 29, 1988

Ms. Noreta R. McGee  
Secretary  
Interstate Commerce Commission  
12th and Constitution Avenue, N.W.  
Washington, D.C. 20423

JUL 1 1988-3 40 PM  
INTERSTATE COMMERCE COMMISSION

Re: Release of equipment covered by Conditional Sale  
Agreement dated as of March 15, 1973, between  
ACF INDUSTRIES, INCORPORATED and THE KANSAS CITY  
SOUTHERN RAILWAY COMPANY

Dear Ms. McGee:

Pursuant to 49 U.S.C. 11303 and to the Commission's Rules and Regulations thereunder, as amended, The Kansas City Southern Railway Company transmits herewith five completely executed counterparts of a Bill of Sale and Release of three hundred (300) outside post box cars covered by the above Conditional Sale Agreement and Assignment (said Assignment being to Chemical Bank) and requests the filing and recording of said Bill of Sale and Release with the Interstate Commerce Commission. The original Conditional Sale Agreement and Assignment were recorded on April 20, 1973, and assigned No. 6996.

In accordance with section 1116.4 of Title 49 of the Code of Federal Regulations, the following information is submitted:

(1) The names and addresses of the parties to the conditional Sale Agreement and Assignment are as follows:

Manufacturer: ACF INDUSTRIES, INCORPORATED  
750 Third Avenue  
New York, New York 10017

Purchaser: The Kansas City Southern Railway Company  
114 West 11th Street  
Kansas City, Missouri 64105

(2) The names and addresses of the parties to the Assignment are as follows:

Manufacturer: ACF INDUSTRIES, INCORPORATED  
750 Third Avenue  
New York, New York 10017

Assignee: Chemical Bank  
55 Water Street  
New York, New York 10041

(3) The equipment covered by the Bill of Sale and Release consist of the following:

| <u>Type</u>                            | <u>Quantity</u> | <u>Railroad Road Nos.</u>         |
|--|-----------------|-----------------------------------|
| 100-Ton 50'6" Outside Post<br>Box Cars | 300             | See Appendix A<br>Attached hereto |

There is also enclosed a voucher of The Kansas City Southern Railway Company in the amount of \$10.00 in payment of the required recordation fee. The name of the person to whom five copies of the enclosed Bill of Sale and Release bearing Recordation stamp should be sent to is as follows:

Robert E. Zimmerman, Esq.  
Senior Vice President-Law  
The Kansas City Southern Railway Company  
114 West 11th Street  
Kansas City, MO 64105

I hereby certify that I have knowledge of the matters set forth herein.

Sincerely yours,

  
Robert E. Zimmerman

REZ:i  
Enc.

# APPENDIX A

| <u>TYPE</u>                            | <u>QUANTITY</u> | <u>RAILROAD ROAD NOS.</u> |            |            |
|--|-----------------|---------------------------|------------|------------|
| 100-Ton 50'6" Outside<br>Post Box Cars | 300             | KCS 112500                | KCS 112984 | KCS 113468 |
|  |                 | KCS 112518                | KCS 112992 | KCS 113476 |
|  |                 | KCS 112526                | KCS 113000 | KCS 113484 |
|  |                 | KCS 112534                | KCS 113018 | KCS 113492 |
|  |                 | KCS 112542                | KCS 113026 | KCS 113506 |
|  |                 | KCS 112551                | KCS 113034 | KCS 113514 |
|  |                 | KCS 112569                | KCS 113042 | KCS 113522 |
|  |                 | KCS 112577                | KCS 113051 | KCS 113531 |
|  |                 | KCS 112585                | KCS 113069 | KCS 113549 |
|  |                 | KCS 112593                | KCS 113077 | KCS 113557 |
|  |                 | KCS 112607                | KCS 113085 | KCS 113565 |
|  |                 | KCS 112615                | KCS 113093 | KCS 113573 |
|  |                 | KCS 112623                | KCS 113107 | KCS 113581 |
|  |                 | KCS 112631                | KCS 113115 | KCS 113590 |
|  |                 | KCS 112640                | KCS 113123 | KCS 113603 |
|  |                 | KCS 112658                | KCS 113131 | KCS 113611 |
|  |                 | KCS 112666                | KCS 113140 | KCS 113620 |
|  |                 | KCS 112674                | KCS 113158 | KCS 113638 |
|  |                 | KCS 112682                | KCS 113166 | KCS 113646 |
|  |                 | KCS 112691                | KCS 113174 | KCS 113654 |
|  |                 | KCS 112704                | KCS 113182 | KCS 113662 |
|  |                 | KCS 112712                | KCS 113191 | KCS 113671 |
|  |                 | KCS 112721                | KCS 113204 | KCS 113689 |
|  |                 | KCS 112739                | KCS 113212 | KCS 113697 |
|  |                 | KCS 112747                | KCS 113221 | KCS 113701 |
|  |                 | KCS 112755                | KCS 113239 | KCS 113719 |
|  |                 | KCS 112763                | KCS 113247 | KCS 113727 |
|  |                 | KCS 112771                | KCS 113255 | KCS 113735 |
|  |                 | KCS 112780                | KCS 113263 | KCS 113743 |
|  |                 | KCS 112798                | KCS 113271 | KCS 113751 |
|  |                 | KCS 112801                | KCS 113280 | KCS 113760 |
|  |                 | KCS 112810                | KCS 113298 | KCS 113778 |
|  |                 | KCS 112828                | KCS 113301 | KCS 113786 |
|  |                 | KCS 112836                | KCS 113310 | KCS 113794 |
|  |                 | KCS 112844                | KCS 113328 | KCS 113808 |
|  |                 | KCS 112852                | KCS 113336 | KCS 113816 |
|  |                 | KCS 112861                | KCS 113344 | KCS 113824 |
|  |                 | KCS 112879                | KCS 113352 | KCS 113832 |
|  |                 | KCS 112887                | KCS 113361 | KCS 113841 |
|  |                 | KCS 112895                | KCS 113379 | KCS 113859 |
|  |                 | KCS 112909                | KCS 113387 | KCS 113867 |
|  |                 | KCS 112917                | KCS 113395 | KCS 113875 |
|  |                 | KCS 112925                | KCS 113409 | KCS 113883 |
|  |                 | KCS 112933                | KCS 113417 | KCS 113891 |
|  |                 | KCS 112941                | KCS 113425 | KCS 113905 |
|  |                 | KCS 112950                | KCS 113433 | KCS 113913 |
|  |                 | KCS 112968                | KCS 113441 | KCS 113921 |
|  |                 | KCS 112976                | KCS 113450 | KCS 113930 |

# APPENDIX A (Contd.)

| <u>TYPE</u>           | <u>QUANTITY</u> | <u>RAILROAD ROAD NOS.</u> |            |            |
|-----------------------|-----------------|---------------------------|------------|------------|
| 100-Ton 50'6" Outside | 300             | KCS 113948                | KCS 114464 | KCS 114987 |
| Post Box Cars -Contd. |                 | KCS 113956                | KCS 114472 | KCS 114995 |
|                       |                 | KCS 113964                | KCS 114481 | KCS 115002 |
|                       |                 | KCS 113972                | KCS 114499 | KCS 115011 |
|                       |                 | KCS 113981                | KCS 114502 | KCS 115029 |
|                       |                 | KCS 113999                | KCS 114511 | KCS 115037 |
|                       |                 | KCS 114006                | KCS 114529 | KCS 115045 |
|                       |                 | KCS 114014                | KCS 114537 | KCS 115053 |
|                       |                 | KCS 114022                | KCS 114545 | KCS 115061 |
|                       |                 | KCS 114031                | KCS 114553 | KCS 115070 |
|                       |                 | KCS 114049                | KCS 114561 | KCS 115088 |
|                       |                 | KCS 114057                | KCS 114570 | KCS 115096 |
|                       |                 | KCS 114065                | KCS 114588 | KCS 115100 |
|                       |                 | KCS 114073                | KCS 114596 | KCS 115118 |
|                       |                 | KCS 114081                | KCS 114600 | KCS 115126 |
|                       |                 | KCS 114090                | KCS 114618 | KCS 115134 |
|                       |                 | KCS 114103                | KCS 114626 | KCS 115142 |
|                       |                 | KCS 114111                | KCS 114634 | KCS 115151 |
|                       |                 | KCS 114120                | KCS 114642 | KCS 115169 |
|                       |                 | KCS 114138                | KCS 114651 | KCS 115177 |
|                       |                 | KCS 114146                | KCS 114669 | KCS 115185 |
|                       |                 | KCS 114154                | KCS 114677 | KCS 115193 |
|                       |                 | KCS 114162                | KCS 114685 | KCS 115207 |
|                       |                 | KCS 114171                | KCS 114693 | KCS 115215 |
|                       |                 | KCS 114189                | KCS 114707 | KCS 115223 |
|                       |                 | KCS 114197                | KCS 114715 | KCS 115231 |
|                       |                 | KCS 114201                | KCS 114723 | KCS 115240 |
|                       |                 | KCS 114219                | KCS 114731 | KCS 115258 |
|                       |                 | KCS 114227                | KCS 114740 | KCS 115266 |
|                       |                 | KCS 114235                | KCS 114758 | KCS 115274 |
|                       |                 | KCS 114243                | KCS 114766 | KCS 115282 |
|                       |                 | KCS 114251                | KCS 114774 | KCS 115291 |
|                       |                 | KCS 114260                | KCS 114782 | KCS 115304 |
|                       |                 | KCS 114278                | KCS 114791 | KCS 115312 |
|                       |                 | KCS 114286                | KCS 114804 | KCS 115321 |
|                       |                 | KCS 114294                | KCS 114812 | KCS 115339 |
|                       |                 | KCS 114308                | KCS 114821 | KCS 115347 |
|                       |                 | KCS 114316                | KCS 114839 | KCS 115355 |
|                       |                 | KCS 114324                | KCS 114847 | KCS 115363 |
|                       |                 | KCS 114332                | KCS 114855 | KCS 115371 |
|                       |                 | KCS 114341                | KCS 114863 | KCS 115380 |
|                       |                 | KCS 114359                | KCS 114871 | KCS 115398 |
|                       |                 | KCS 114367                | KCS 114880 | KCS 115401 |
|                       |                 | KCS 114375                | KCS 114898 | KCS 115410 |
|                       |                 | KCS 114383                | KCS 114901 | KCS 115428 |
|                       |                 | KCS 114391                | KCS 114910 | KCS 115436 |
|                       |                 | KCS 114405                | KCS 114928 | KCS 115444 |
|                       |                 | KCS 114413                | KCS 114936 | KCS 115452 |
|                       |                 | KCS 114421                | KCS 114944 | KCS 115461 |
|                       |                 | KCS 114430                | KCS 114952 | KCS 115479 |
|                       |                 | KCS 114448                | KCS 114961 | KCS 115487 |
|                       |                 | KCS 114456                | KCS 114979 | KCS 115495 |

The Kansas City Southern Railway Company  
Louisiana & Arkansas Railway Company

301 West 11th Street, Kansas City, Missouri 64105

ROBERT E. ZIMMERMAN  
Senior Vice President — Law

RECORDED 6996-1A  
JUL 14 1988-3 44 PM  
INTERSTATE COMMERCE COMMISSION

Writer's Direct Phone  
(816) 556-0255

July 11, 1988

Mrs. Mildred Lee  
Interstate Commerce Commission  
12th and Constitution Avenue, N.W.  
Room 2303  
Washington, D. C. 20423

Re: Release of equipment covered by Conditional Sale  
Agreement dated as of March 15, 1973, between  
ACF INDUSTRIES, INCORPORATED and THE KANSAS CITY  
SOUTHERN RAILWAY COMPANY

Dear Miss Lee:

In accordance with our telephone discussion today, we are forwarding our check in the sum of \$3.00 representing payment of the additional filing fee.

Thanking you for your courtesy in calling this to our attention, I  
am

Sincerely yours,



Robert E. Zimmerman

REZ:i  
Enc.

**Interstate Commerce Commission**  
**Washington, D.C. 20423**

OFFICE OF THE SECRETARY

7/15/88

Robert E. Zimmerman, Esq.  
Senior Vice Pres.-Law  
The Kansas City Southern Railway Co.  
114 West 11th Street  
Kansas City, MO 64105

Dear Sir

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 7/15/88 at 3:30PM, and assigned recodation number(s). 6996-A

Sincerely yours,

*Narta L. McEneaney*

Secretary

Enclosure(s)

6996-A  
REGISTRATION NO. \_\_\_\_\_ FILED 1988

JUL 14 1988-3 30 PM

INTERSTATE COMMERCE COMMISSION

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BILL OF SALE

AND

RELEASE

From

CHEMICAL BANK

as Agent

of

EQUIPMENT COVERED BY

CONDITIONAL SALE AGREEMENT

DATED AS OF MARCH 15, 1973

BETWEEN

ACF INDUSTRIES, INCORPORATED

and

THE KANSAS CITY SOUTHERN RAILWAY COMPANY

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BILL OF SALE

AND

RELEASE

KNOW ALL MEN BY THESE PRESENTS:

CHEMICAL BANK, as Agent, a New York Corporation (hereinafter called the Assignee), does hereby acknowledge and declare that:

(1) Pursuant to an Agreement and Assignment dated as of March 15, 1973, it is the Assignee for a valuable consideration of all and singular the right, title and interest of ACF INDUSTRIES, INCORPORATED a New Jersey corporation (hereinafter called the Manufacturer), in, under and to a Conditional Sale Agreement dated as of March 15, 1973, by and between the Manufacturer and THE KANSAS CITY SOUTHERN RAILWAY COMPANY, a Missouri corporation (hereinafter called the Railroad), covering the construction, sale and delivery by the Manufacturer to the Railroad of the following railroad equipment:

300 100-Ton 50'6" Outside Post Box Cars, bearing Railroad's  
Car Numbers as set forth in APPENDIX A attached hereto;

which Conditional Sale Agreement and Agreement and Assignment, pursuant to 49 U.S.C. 11303 were filed and recorded with the Interstate Commerce Commission on April 20, 1973. and assigned Recordation No. 6996.

(2) All and singular the terms and conditions of said Conditional Sale Agreement to be by the Railroad done, carried out, complied with, and performed, including payment of the purchase price of the above-described railroad equipment, with interest thereon, have been duly done, carried out, complied with and performed; and



(3) The Assignee hereby releases the above-described railroad equipment from liens and encumbrances created or retained in or by said Conditional Sale Agreement, or in said Agreement and Assignment.

The Assignee, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration paid by the Railroad at or before the execution and delivery of these presents, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and set-over unto the Railroad, its successors and assigns, the above-described railroad equipment.

To have and to hold all and singular the above described railroad equipment to the Railroad, its successors and assigns, for its and their own use and behoof forever.

IN WITNESS WHEREOF, the Assignee has caused this instrument to be executed by its undersigned officers, and its corporate seal to be hereunto affixed, duly attested, this 21<sup>ST</sup> day of JUNE, 1988.

CHEMICAL BANK

By R. L. [Signature]  
Its **SENIOR TRUST OFFICER**

ATTEST:

M. [Signature]  
Its **Trust Officer**

SS.

*Hugh J. McMenemy*  
Notary Public  
HUGH J. McMENEMY

**HUGH J. McMENEMY**  
Notary Public, State of New York  
NO. 24-4736804  
Qualified in Kings County  
Certificate filed in New York County  
Commission Expires April 30, 1989

# APPENDIX A

| <u>TYPE</u>                            | <u>QUANTITY</u> | <u>RAILROAD ROAD NOS.</u> |            |            |
|--|-----------------|---------------------------|------------|------------|
| 100-Ton 50'6" Outside<br>Post Box Cars | 300             | KCS 112500                | KCS 112984 | KCS 113468 |
|  |                 | KCS 112518                | KCS 112992 | KCS 113476 |
|  |                 | KCS 112526                | KCS 113000 | KCS 113484 |
|  |                 | KCS 112534                | KCS 113018 | KCS 113492 |
|  |                 | KCS 112542                | KCS 113026 | KCS 113506 |
|  |                 | KCS 112551                | KCS 113034 | KCS 113514 |
|  |                 | KCS 112569                | KCS 113042 | KCS 113522 |
|  |                 | KCS 112577                | KCS 113051 | KCS 113531 |
|  |                 | KCS 112585                | KCS 113069 | KCS 113549 |
|  |                 | KCS 112593                | KCS 113077 | KCS 113557 |
|  |                 | KCS 112607                | KCS 113085 | KCS 113565 |
|  |                 | KCS 112615                | KCS 113093 | KCS 113573 |
|  |                 | KCS 112623                | KCS 113107 | KCS 113581 |
|  |                 | KCS 112631                | KCS 113115 | KCS 113590 |
|  |                 | KCS 112640                | KCS 113123 | KCS 113603 |
|  |                 | KCS 112658                | KCS 113131 | KCS 113611 |
|  |                 | KCS 112666                | KCS 113140 | KCS 113620 |
|  |                 | KCS 112674                | KCS 113158 | KCS 113638 |
|  |                 | KCS 112682                | KCS 113166 | KCS 113646 |
|  |                 | KCS 112691                | KCS 113174 | KCS 113654 |
|  |                 | KCS 112704                | KCS 113182 | KCS 113662 |
|  |                 | KCS 112712                | KCS 113191 | KCS 113671 |
|  |                 | KCS 112721                | KCS 113204 | KCS 113689 |
|  |                 | KCS 112739                | KCS 113212 | KCS 113697 |
|  |                 | KCS 112747                | KCS 113221 | KCS 113701 |
|  |                 | KCS 112755                | KCS 113239 | KCS 113719 |
|  |                 | KCS 112763                | KCS 113247 | KCS 113727 |
|  |                 | KCS 112771                | KCS 113255 | KCS 113735 |
|  |                 | KCS 112780                | KCS 113263 | KCS 113743 |
|  |                 | KCS 112798                | KCS 113271 | KCS 113751 |
|  |                 | KCS 112801                | KCS 113280 | KCS 113760 |
|  |                 | KCS 112810                | KCS 113298 | KCS 113778 |
|  |                 | KCS 112828                | KCS 113301 | KCS 113786 |
|  |                 | KCS 112836                | KCS 113310 | KCS 113794 |
|  |                 | KCS 112844                | KCS 113328 | KCS 113808 |
|  |                 | KCS 112852                | KCS 113336 | KCS 113816 |
|  |                 | KCS 112861                | KCS 113344 | KCS 113824 |
|  |                 | KCS 112879                | KCS 113352 | KCS 113832 |
|  |                 | KCS 112887                | KCS 113361 | KCS 113841 |
|  |                 | KCS 112895                | KCS 113379 | KCS 113859 |
|  |                 | KCS 112909                | KCS 113387 | KCS 113867 |
|  |                 | KCS 112917                | KCS 113395 | KCS 113875 |
|  |                 | KCS 112925                | KCS 113409 | KCS 113883 |
|  |                 | KCS 112933                | KCS 113417 | KCS 113891 |
|  |                 | KCS 112941                | KCS 113425 | KCS 113905 |
|  |                 | KCS 112950                | KCS 113433 | KCS 113913 |
|  |                 | KCS 112968                | KCS 113441 | KCS 113921 |
|  |                 | KCS 112976                | KCS 113450 | KCS 113930 |

(continued)

# APPENDIX A (Contd.)

| <u>TYPE</u>           | <u>QUANTITY</u> | <u>RAILROAD ROAD NOS.</u> |            |            |
|-----------------------|-----------------|---------------------------|------------|------------|
| 100-Ton 50'6" Outside | 300             | KCS 113948                | KCS 114464 | KCS 114987 |
| Post Box Cars -Contd. |                 | KCS 113956                | KCS 114472 | KCS 114995 |
|                       |                 | KCS 113964                | KCS 114481 | KCS 115002 |
|                       |                 | KCS 113972                | KCS 114499 | KCS 115011 |
|                       |                 | KCS 113981                | KCS 114502 | KCS 115029 |
|                       |                 | KCS 113999                | KCS 114511 | KCS 115037 |
|                       |                 | KCS 114006                | KCS 114529 | KCS 115045 |
|                       |                 | KCS 114014                | KCS 114537 | KCS 115053 |
|                       |                 | KCS 114022                | KCS 114545 | KCS 115061 |
|                       |                 | KCS 114031                | KCS 114553 | KCS 115070 |
|                       |                 | KCS 114049                | KCS 114561 | KCS 115088 |
|                       |                 | KCS 114057                | KCS 114570 | KCS 115096 |
|                       |                 | KCS 114065                | KCS 114588 | KCS 115100 |
|                       |                 | KCS 114073                | KCS 114596 | KCS 115118 |
|                       |                 | KCS 114081                | KCS 114600 | KCS 115126 |
|                       |                 | KCS 114090                | KCS 114618 | KCS 115134 |
|                       |                 | KCS 114103                | KCS 114626 | KCS 115142 |
|                       |                 | KCS 114111                | KCS 114634 | KCS 115151 |
|                       |                 | KCS 114120                | KCS 114642 | KCS 115169 |
|                       |                 | KCS 114138                | KCS 114651 | KCS 115177 |
|                       |                 | KCS 114146                | KCS 114669 | KCS 115185 |
|                       |                 | KCS 114154                | KCS 114677 | KCS 115193 |
|                       |                 | KCS 114162                | KCS 114685 | KCS 115207 |
|                       |                 | KCS 114171                | KCS 114693 | KCS 115215 |
|                       |                 | KCS 114189                | KCS 114707 | KCS 115223 |
|                       |                 | KCS 114197                | KCS 114715 | KCS 115231 |
|                       |                 | KCS 114201                | KCS 114723 | KCS 115240 |
|                       |                 | KCS 114219                | KCS 114731 | KCS 115258 |
|                       |                 | KCS 114227                | KCS 114740 | KCS 115266 |
|                       |                 | KCS 114235                | KCS 114758 | KCS 115274 |
|                       |                 | KCS 114243                | KCS 114766 | KCS 115282 |
|                       |                 | KCS 114251                | KCS 114774 | KCS 115291 |
|                       |                 | KCS 114260                | KCS 114782 | KCS 115304 |
|                       |                 | KCS 114278                | KCS 114791 | KCS 115312 |
|                       |                 | KCS 114286                | KCS 114804 | KCS 115321 |
|                       |                 | KCS 114294                | KCS 114812 | KCS 115339 |
|                       |                 | KCS 114308                | KCS 114821 | KCS 115347 |
|                       |                 | KCS 114316                | KCS 114839 | KCS 115355 |
|                       |                 | KCS 114324                | KCS 114847 | KCS 115363 |
|                       |                 | KCS 114332                | KCS 114855 | KCS 115371 |
|                       |                 | KCS 114341                | KCS 114863 | KCS 115380 |
|                       |                 | KCS 114359                | KCS 114871 | KCS 115398 |
|                       |                 | KCS 114367                | KCS 114880 | KCS 115401 |
|                       |                 | KCS 114375                | KCS 114898 | KCS 115410 |
|                       |                 | KCS 114383                | KCS 114901 | KCS 115428 |
|                       |                 | KCS 114391                | KCS 114910 | KCS 115436 |
|                       |                 | KCS 114405                | KCS 114928 | KCS 115444 |
|                       |                 | KCS 114413                | KCS 114936 | KCS 115452 |
|                       |                 | KCS 114421                | KCS 114944 | KCS 115461 |
|                       |                 | KCS 114430                | KCS 114952 | KCS 115479 |
|                       |                 | KCS 114448                | KCS 114961 | KCS 115487 |
|                       |                 | KCS 114456                | KCS 114979 | KCS 115495 |